

JESSE HAYNES.

[To accompany bill H. R. No. 653.]

JANUARY 16, 1857.

Mr. PORTER, from the Committee on Private Land Claims, made the following

REPORT.

*The Committee on Private Land Claims, to whom was referred House bill No. 653, for the relief of Jesse Haynes, of Mississippi, have had the same, and the papers therewith referred, under consideration, and respectfully report :*

That it appears from the evidence before your committee, that the said Haynes desires to purchase the northwest quarter of the southeast quarter of section No. *eleven*, township three, (3,) north of range 15 east ; and that he authorized and requested one Charles F. Mayerhoff, of Clarke county, Mississippi, to purchase said tract of land for him at the public land sales at Augusta in said State, in May, 1855. That said Mayerhoff, under a misapprehension, bought at said sale the northwest quarter of the southeast quarter of section 15, township No. three of range No. 15 east, for said Haynes, and took a duplicate receipt accordingly ; which receipt embraces a piece of land distant from the piece desired by said Hayner, and which would not answer at all the end he had in view. He has made application to the Commissioner of the General Land Office for a corresponding *change of his entry* ; in other words to surrender his purchase as actually made, and to be allowed to enter the tract which he intended to buy, and authorized his said agent to buy. His said application for said *change*, was disallowed for the reason that it was a purchase at *public sale*, and not a private entry. The act of Congress in such case made and provided, only allowing a change of *an entry* made under a mistake, and not such change where the land is purchased at *public sale*. The case, your committee think, comes within the equity of the existing law, but not within its terms. And as the bill referred does justice to the citizen, without doing any injustice or occasioning any loss to the government, they report the said bil back to the House, and recommend its passage.

